

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

IN RE JOHNSON & JOHNSON  
TALCUM POWDER PRODUCTS  
MARKETING, SALES PRACTICES,  
AND PRODUCTS LIABILITY  
LITIGATION

MDL NO. 16-2738 (FLW) (LGH)

*THIS DOCUMENT RELATES TO ALL CASES*

**PLAINTIFFS' AMENDED CROSS NOTICE OF TAKING  
ORAL DEPOSITION OF JOHN C. O'SHAUGHNESSY**

TO: ALL COUNSEL OF RECORD

PLEASE TAKE NOTICE that pursuant to the Federal Rules of Civil Procedure, Plaintiffs, by and through the undersigned counsel, hereby cross-notice the videotaped deposition upon oral examination of John C. O'Shaughnessy in the above-referenced matter. A copy of the deposition notice is attached as Exhibit A.

Plaintiffs reserve the right to take a supplemental (non-duplicative) deposition of John C. O'Shaughnessy as may be needed based upon the production of documents and other discovery to occur subsequent to the presently scheduled deposition.

The deposition will take place before a person authorized to administer oaths and will continue day to day until completed at the following time:

**June 29, 2021 at 10:00 a.m. (EST) at Crowne Plaza Princeton, 900 Scudders  
Mill Road, Plainsboro, New Jersey 08536 in person and via ZOOM.**

The deposition will be videotaped before a certified court reporter and may be used for the purposes of discovery or for use by Plaintiff as evidence at trial, both. You are invited to appear and take part in the examination as you deem appropriate.

Dated: June 23, 2021

Respectfully submitted,

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ATTORNEYS FOR PLAINTIFFS

**CERTIFICATE OF SERVICE**

I hereby certify that on June 23, 2021, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive services in this MDL.

/s/ P. Leigh O'Dell  
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ATTORNEY FOR PLAINTIFFS

# Exhibit A

**IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS  
STATE OF MISSOURI**

**VICKIE FORREST**, et al.,

Plaintiffs,

vs.

**JOHNSON & JOHNSON**, et al.,

Defendants

Case No. 1522-CC00419-02

Division 1

**NOTICE OF VIDEOTAPED  
(REMOTE) DEPOSITION OF JOHN C. O'SHAUGHNESSY**

TO: All Counsel of Record

PLEASE TAKE NOTICE that pursuant to Rule 57 of the Missouri Rules of Civil Procedure, Plaintiffs, by their undersigned attorneys, shall take the videotaped deposition of **John C. O'Shaughnessy**, in the above-referenced matter. The deposition which shall be taken by videotape and stenographic means before a certified court reporter or other person authorized to administer oaths on **Tuesday, June 29, 2021, at 10 a.m. EST at Crowne Plaza Princeton, 900 Scudders Mill Road, Plainsboro, New Jersey 08536**. The deposition will also be conducted remotely via Zoom video conference services as agreed upon by all parties. The deposition will continue from day to day until completed. The deposition will be facilitated by Golkow Reporting. All persons wishing to attend the deposition remotely shall provide counsel for Plaintiffs with their email addresses no later than four days before the deposition.

The witness is required to bring/produce true, correct and complete copies of all documents as referred to in **Schedule A** below, no later than five (5) business days prior to the deposition.

**SCHEDULE "A"**  
**Subpoena Duces Tecum**

The deponent shall make the following documents and things available for the purposes of inspection and copying:

**DEFINITIONS:**

The term "document(s)" means and refers to all forms of writings and records, and includes any reduction to tangible form, including computer or magnetic memory or storage, or any other electronically stored information, communication, or data, including any written, recorded, or filmed graphic matter of any kind or nature, however produced or reproduced, including originals, drafts, and non-identical copies, wherever located including, but not limited to, documents and records held or stored on hospital servers, databases, networks, shared networks, local and remote drives, and local and remote drives of individuals.

**DOCUMENTS REQUESTED:**

1. A copy of the witness's current or most recent resume or curriculum vitae;
2. Any and all documents in the witness's possession, custody, or control which discuss, mention, consider, or contemplate the presence of asbestos in talcum powder products;
3. Any and all documents in the witness's possession, custody, or control which discuss, mention, consider, or contemplate the presence of asbestos in Johnson's Baby Powder;
4. Any and all documents in the witness's possession, custody, or control which discuss, mention, consider, or contemplate the association between talcum powder products and ovarian cancer;
5. Any and all documents in the witness's possession, custody, or control which discuss, mention, consider, or contemplate the association between Johnson's Baby Powder and ovarian cancer;
6. Any and all documents in the witness's possession, custody, or control which discuss, mention, consider, or contemplate the association between asbestos and ovarian cancer;
7. Any and all documents in the witness's possession, custody, or control which discuss, mention, consider, or contemplate the International Agency for Research on Cancer's (IARC) consideration of talc as a human carcinogen;

8. Any and all documents in the witness's possession, custody, or control which reflect communications with any Johnson and Johnson entity or employee after the witness left employment with Johnson and Johnson;
9. Any and all documents in the witness's possession, custody, or control which reflect communications with any Johnson and Johnson entity or employee, after the witness left employment with Johnson and Johnson, regarding talcum powder products;
10. Any and all documents in the witness's possession, custody, or control which reflect communications with any Johnson and Johnson entity or employee, including its lawyers, regarding talcum powder products;
11. Any and all documents in the witness's possession, custody, or control which reflect communications specifically with Susan Nicholson, MD after the witness left employment with Johnson and Johnson;
12. Any and all documents in the witness's possession, custody, or control which reflect communications specifically with John Hopkins, PhD after the witness left employment with Johnson and Johnson;
13. Any and all documents in the witness's possession, custody, or control which reflect communications specifically with the Food and Drug Administration (FDA) regarding talcum powder products;
14. Any and all documents in the witness's possession, custody, or control which reflect communications specifically with Rich Zazenski regarding talcum powder or talcum powder products; and
15. Any and all documents in the witness's possession, custody, or control which refer or relate to, in any way, the following specific individuals or entities regarding talcum powder products:
  - a. Imerys or any of its predecessor companies or entities;
  - b. Rio Tinto or any of its predecessor companies or entities;
  - c. Luzinac Group or any of its predecessor companies or entities;
  - d. Crowell & Morning LLP, including Ridgway M. Hall Jr.;
  - e. Robert Glenn;
  - f. Meta-Analysis Research Group;
  - g. Joshua Muscat, MD;

- h. Michael Huncharek; MD; and
- i. Brooke Mossman, PhD.

Dated: June 21, 2021

Respectfully submitted,

**ONDERLAW, LLC**

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**Certificate of Service**

The undersigned hereby certifies that this document was filed and electronically served by way of the Court's electronic filing system on this 21<sup>st</sup> day of June, 2021.

/s/ W. Wylie Blair